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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE VENUE

E-FILED - 9/28/06

UNITED STATES OF AMERICA,)	No. C 02-2050 RMW
)	
Plaintiff,)	REQUEST FOR DISMISSAL
)	AND ORDER
v.)	
)	
3278 ALESANDRO DRIVE, SAN JOSE,)	
CALIFORNIA)	
)	
Defendant.)	

Pursuant to the Court's September 14, 2006 Order, the United States hereby requests that this action be dismissed with prejudice.

In satisfaction of the stipulation of settlement entered between the United States and all parties on April 14, 2003, the United States represents that a check in the amount of \$210,000 was received by the United States Customs Service from Anthony Phan and Amy Tran on July 8, 2003 and the *lis pendens* against the defendant real property was released and recorded with the Santa Clara County Recorder's Office on November 5, 2003.

Dated: 9/25/06

Respectfully submitted,

KEVIN V. RYAN
 United States Attorney

/S/
 STEPHANIE M. HINDS
 Assistant United States Attorney

ORDER

IT IS SO ORDERED. Based on the foregoing, the instant action is hereby dismissed with prejudice.

Dated: 9/28/06

/S/ RONALD M. WHYTE
RONALD M. WHYTE
United States District Court

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she caused a copy of the

REQUEST FOR DISMISSAL

to be served this date by U.S. mail delivery upon the following person(s) at the place(s) and address(es) which is/are the last known address(es):

Jerry Y. Fong, Esq.
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706 Cowper Street
Palo Alto, CA 94302-1040

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Blank Rome Comisky & McCauley
One Logan Square
Philadelphia, PA 19103

I declare under penalty of perjury that the foregoing is true and correct to be the best of my knowledge.

Executed this 25th day of September, 2006, at San Francisco, California.

/S/

ALICIA CHIN
Paralegal/AFU